

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

PHILIP RIPTON,)
)
Plaintiff,)
)
v.) Civil No. 07-20-B-W
)
CAMP DRESSER & MCKEE, INC.)
and CDM CONSTRUCTORS, INC.,)
)
Defendants.)

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objection having been filed to the Magistrate Judge's Recommended Decision filed July 31, 2007, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Defendants' Motion to Dismiss (Docket # 31) be and hereby is DENIED.¹

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 29th day of August, 2007

¹ In her Report and Recommended Decision, Magistrate Judge Kravchuk concluded that Philip Ripton's motion for oral argument was "not warranted". *Report and Rec. Dec.* at 5 (Docket # 41). She noted, however, that she did not "formally deny the motion for oral argument in the event that the Court disagrees with my recommendation on the motion to dismiss and decides to entertain oral argument from the parties." *Id.* Camp Dresser & McKee have not objected to the magistrate judge's recommended decision and the Court has accepted her recommendations. Accordingly, the Court DISMISSES Philip Ripton's motion for oral argument (Docket # 38) as moot.